

**REMARKS**

Applicants file concurrently herewith a Request for Continued Examination (RCE) in response to the Final Office Action mailed June 1, 2007 (hereinafter, "Office Action"). In the Office Action, the Examiner objected to the specification; and rejected claims 1-7 and 9-17 under 35 U.S.C. § 102(e) as being anticipated by U.S. Application 2003/0197726 to Weitzman (hereinafter, "*Weitzman*").

By this response, Applicants cancel claims 1-7 and 9-15, without prejudice or disclaimer of their subject matter, and add new claims 18-31. Claim 8 has been previously canceled. Accordingly, claims 16-31 are currently pending.

Based on the foregoing amendments and following remarks, Applicants respectfully traverse the objection to the specification and the rejection under 35 U.S.C. § 102(e), and request timely allowance of pending claims 16-31.

**I. Amendment to the Specification**

By this response, Applicants hereby amend the specification at page 8, lines 7-24 to correct for typographical errors. No new matter has been added by this amendment. Accordingly, Applicants hereby request entry of the amendment to the specification.

**II. Objection to the Specification**

The Examiner states that the "disclosure is objected to because . . . [t]he specification is devoid of terms such as 'computer-readable medium' as recited in claims 1, 16 and 17." Office Action, page 2. Specifically, the Examiner states that "[t]he specification discloses mass storage devices for storing and information carriers for

embodying computer program instructions . . . [and the] Examiner has treated the computer-readable medium to include non-volatile memory.” *Id.*

Applicants respectfully disagree with the Examiner’s characterization of the independent claims as lacking support in the specification. *M.P.E.P.* § 608.01(o) states, “[t]he meaning of every term used in any of the claims should be apparent from the descriptive portion of the specification with clear disclosure as to its import.” Further, “[t]he mere fact that a term or phrase used in the claim has no antecedent basis in the specification disclosure does not mean, necessarily, that the term or phrase is indefinite.” *M.P.E.P.* § 2173.05(d). “There is no requirement that the words in the claim must match those used in the specification disclosure.” *Id.*

For example, Applicants’ Specification (hereinafter, “*Specification*”) describes one exemplary embodiment in which “[t]he invention can be implemented as a computer program product, i.e., a computer program tangibly embodied in an information carrier, e.g., in a machine-readable storage device . . . .” *Specification*, p. 18, ll. 22-24. Further, “[i]nformation carriers suitable for embodying computer program instructions and data include all forms of non-volatile memory, including by way of example semiconductor memory devices, e.g., EPROM, EEPROM, and flash memory devices; magnetic disks, e.g., internal hard disks or removable disks; magneto-optical disks; and CD-ROM and DVD-ROM disks.” *Id.* at p. 19, ll. 15-19. One of ordinary skill in the art would recognize that the disclosed information carriers suitable for embodying computer program instructions and data are computer-readable media.

Thus, while the descriptive portion of the specification may not use the exact term “computer-readable medium,” as stated in the *M.P.E.P.*, there is no requirement

that the words in the claim must match those used in the specification. Therefore, Applicants respectfully submit that the specification provides sufficient antecedent basis for the term “computer-readable medium,” and the meaning of the term is readily apparent from the descriptive portion of the specification. Accordingly, Applicants respectfully request the Examiner to withdraw the objection to the specification.

### **III. Rejection Under 35 U.S.C. § 102(e)**

Claims 1-7 and 9-15 have been canceled, thereby rendering the rejection of these claims under 35 U.S.C. 102(e) moot.

Applicants respectfully traverse the rejection of claims 16 and 17 under 35 U.S.C. § 102(e) as being anticipated by *Weitzman*. A proper anticipation rejection requires that “each and every element set forth in the claim be found, either expressly or inherently described, in a single prior art reference.” *M.P.E.P.* § 2131. Applicants respectfully submit that *Weitzman* fails to disclose all of the subject matter recited in each of the independent claims 16 and 17.

#### **A. Claim 16**

*Weitzman* fails to disclose, *inter alia*, “[a] view having at least one user interface (UI) element” and “the design-time data structure including a structure element that is bound to the UI element,” as recited in independent claim 16. While the Examiner refers to Figure 1, asserting that *Weitzman* teaches this feature, that is incorrect. None of the figures of *Weitzman*, nor their corresponding textual descriptions, disclose at least these recitations.

For example, in Figure 1, a prior art architecture diagram, the UI is located between the user 4 and the controller 2. According to *Weitzman*, “[t]he Controller 2

object manages interactions among the user 4, the model 1 and the view 3 by way of the user interface (UI).” *Weitzman*, ¶ 0004. “The UI 5 presents images to the user 4 via computer displays, printers and the like and receives input from the user 4 . . . .” *Id.* Moreover, “[t]he Model 1 is the object that represents the data in the program.” *Id.* “It manages all data and performs all data manipulation and transformation.” *Id.* Thus, Figure 1 of *Weitzman* fails to disclose “[a] view having at least one user interface (UI) element” and “the design-time data structure including a structure element that is bound to the UI element,” as recited in independent claim 16.

In Figure 2, another prior art architecture diagram, the UI is located between the user and a “delegate.” Specifically, “the view 3 and the controller 2 are combined into a single component 201 . . . the single ComponentUI element 201.” *Id.* at ¶ 0012. According to *Weitzman*, “[t]his enables multiple User Interface (UI) components to translator into the same model data and be appropriately updated when changes occur.” *Id.* (emphasis added). Thus, Figure 2 also fails to disclose “[a] view having at least one user interface (UI) element” and “the design-time data structure including a structure element that is bound to the UI element,” as recited in independent claim 16.

Referring to FIG. 3A and FIG. 3B, each of which *Weitzman* describes as “an example embodiment of the present invention,” the UI is also located between a user and the controller. *Id.* at ¶¶ 0022-0023. According to *Weitzman*, “[t]he UI Process 808 handles all the interactions with the user and is hooked up to the controller of the MVC architecture.” *Id.* at ¶ 0145 (emphasis added). Specifically, “[w]hen the user interacts with an individual image in a view . . . the UI presents information to the controller object that triggers an update in the model via translators.” *Id.* at ¶ 0116. Thus, Figures 3A

and 3B also fail to disclose “[a] view having at least one user interface (UI) element” and “the design-time data structure including a structure element that is bound to the UI element,” as recited in independent claim 16.

In summary, Figures 1, 3A, and 3B disclose a UI between a user and a controller, and FIG. 2 discloses the UI between the user and a delegate. None of *Weitzman*’s Figures 1, 2, 3A, or 3B, nor their corresponding textual descriptions, disclose the claim 16 recitations of “[a] view having at least one user interface (UI) element” and “the design-time data structure including a structure element that is bound to the UI element,” as **required** for a proper rejection under § 102.

Accordingly, for at least the above-outlined reasons, *Weitzman* fails to disclose all of the subject matter recited in Applicants’ independent claim 16. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(e), and allowance of independent claim 16.

***B. Claim 17***

*Weitzman* fails to disclose, *inter alia*, “providing a storage area that relates to the controller, the storage area being organized according to a design-time data structure having declared relationships between the application data, and storing a run-time data structure that is based on the design-time data structure,” as recited in Applicants’ independent claim 17.

In addressing this recitation, the Examiner refers to paragraph 0159, suggesting that the reference to “. . . application run time . . . ” is sufficient to show anticipation. Office Action, p. 6. Applicants disagree, however, because placing the quote in context, *Weitzman* states that “[d]ynamic information includes processor and i/o utilization,

response time, error rate, Network performance, application run time, queue activity, availability information and the like.” *Weitzman*, ¶ 0159. Thus, *Weitzman* is clearly referring to the length of time an application runs, which is dynamic information, not a “run-time data structure,” as recited in Applicants’ claim 17.

Moreover, even if *Weitzman* uses the term according to the Examiner’s interpretation, which Applicants do not concede, the Examiner fails to fully address the recitations of claim 17. Specifically, the Examiner fails to establish that *Weitzman* anticipates the claim 17 recitation of “providing a storage area that relates to the controller, the storage area being organized according to a design-time data structure having declared relationships between the application data, and storing a run-time data structure that is based on the design-time data structure,” as recited in Applicants’ independent claim 17. Indeed, *Weitzman* does not disclose at least this recitation.

Instead, *Weitzman* discloses that “[a] transform object is provided in the interface between any of the conventional Model, View and Controller objects such that transformation of data types into appropriate other data types is accomplished outside of the MVC object.” *Weitzman*, Abstract. According to *Weitzman*, “information 809 [is stored] in the file system 804,” including “initialization information and user preferences composite image files constructed from image component pieces, model description files describing the model elements that can be translated, view files that define a view and describe the size and location of all the images along with their translators, and any file assets used for image creation, such as audio and image files.” *Id.* at ¶ 0145. This disclosure does not anticipate the above recitation of claim 17.

Accordingly, for at least the above-outlined reasons, *Weitzman* fails to disclose all of the subject matter recited in Applicants' independent claim 17. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(e), and allowance of independent claim 17.

#### **IV. New Claims 18-31 Are Allowable Over the Cited Reference**

Applicants respectfully submit that new claims 18-31 are allowable because *Weitzman* fails to disclose every claim limitation. For example, new independent claim 18 is allowable because *Weitzman* does not disclose, among other things, "establishing at least one storage area, the at least one storage area relating to the at least one controller and storing an instance of the first data structure, the instance of the first data structure comprising data having been stored in the storage area by an access method associated with the at least one controller, the first data structure having been declared prior to execution of the application," as recited in new independent claim 18.

Instead, as discussed above in connection with independent claim 17, *Weitzman* discloses that "[a] transform object is provided in the interface between any of the conventional Model, View and Controller objects such that transformation of data types into appropriate other data types is accomplished outside of the MVC object." *Weitzman*, Abstract. Such a teaching cannot constitute "establishing at least one storage area, the storage area relating to the at least one controller and storing an instance of the first data structure, the instance of the first data structure comprising data having been stored in the storage area by an access method associated with the at least one controller, the first data structure having been declared prior to execution of the application," as recited in new independent claim 18.

Thus, claim 18 is allowable over *Weitzman*. Claims 19-31 depend from independent claim 18, and are therefore allowable for at least the same reasons as set forth above in connection with independent claim 18.

**V. Conclusion**

In view of the foregoing amendments and remarks, Applicants submit that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statements are identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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